

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GERALD MYERS,)	
)	
Plaintiff,)	4:05cv3315
)	
vs.)	ORDER to SHOW CAUSE
)	
STATE OF NEBRASKA,)	
)	
Defendant.)	

This matter is before the court sua sponte. It appears to the court that this case may have been abandoned, as the plaintiff has failed to notify the court of his current address, and the court has learned through investigation that the plaintiff was released from the Clay County Jail after he filed his complaint in this action. As the court advised the plaintiff in the Prisoner Payment Order and again in the Order on Initial Review, the plaintiff has an obligation to keep the court informed of his current address at all times while this case is pending.

Therefore, the Clerk of Court shall send this Order to Show Cause to the plaintiff at the plaintiff's last known address in the court's records, with the notation "please forward" on the outside of the envelope. By April 28, 2006, the plaintiff shall show cause in writing why this case should not be dismissed, without prejudice, for lack of prosecution.¹ In the absence of a timely and sufficient response to this Order to Show Cause, the above-entitled case may be subject, without further notice, to dismissal without prejudice by Chief Judge Joseph F. Bataillon.

SO ORDERED.

DATED this 12th day of April, 2006.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge

¹See NECivR 41.1, which states in pertinent part: "At any time when it appears that any action is not being prosecuted with reasonable diligence the court may dismiss it for lack of prosecution."